

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NORTH READING SCHOOL COMMITTEE
Plaintiff

v.

Civil Action No. 05-11162 RCL

BUREAU OF SPECIAL EDUCATION
APPEALS of the MASSACHUSETTS
DEPARTMENT OF EDUCATION,
MASSACHUSETTS DEPARTMENT
OF EDUCATION, and TIMOTHY
GRAFTON and COURTNEY GRAFTON,
as Parents and Next Friend of M.G.
Defendants

**ANSWER OF THE DEFENDANT IN COUNTERCLAIM,
NORTH READING SCHOOL COMMITTEE, TO COUNT II OF
TIMOTHY AND COURTNEY GRAFTON'S COUNTERCLAIM**

Count II

40. The defendant in counterclaim repeats and reavers its responses to paragraphs 1 to
39 as if set forth fully herein.

41. Admitted.

42. Admitted.

43. Denied.

65[sic].Denied.

First Affirmative Defense

The Plaintiff in Counterclaim fails to state a claim upon which relief may be
granted.

Second Affirmative Defense

By way of affirmative defense, the Defendant-in-Counterclaim states that if the plaintiff in counterclaim suffered injuries or damages, as alleged, such injuries or damages were caused by someone for whose conduct the defendant in counterclaim is not legally responsible.

Jury Claim

The defendant in counterclaim claims a trial by jury on all issues so triable.

Date: March 1, 2006

Respectfully submitted,

The Plaintiff/Defendant-in-Counterclaim,

North Reading School Committee,

By its attorneys,

SULLIVAN & NUTTALL, P.C.

/s/ Thomas J. Nuttall

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Date: March 1, 2006

/s/Thomas J. Nuttall

Thomas J. Nuttall